

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MATTHEW L. ASHBY, individually)	4:05CV3154
and as next friend of M. A., a minor,)	
)	
Plaintiff,)	ORDER
vs.)	
)	
MARY DYER, individually and in her)	
official capacity, et al.,)	
)	
Defendants.)	

IT IS ORDERED that:

1. Filing 83, Plaintiff's motion to dismiss Defendant AGAPE of Central Alabama, Inc., without prejudice, is granted, and said Defendant is no longer a party to this action.
2. Filing 57, the motion to dismiss for lack of personal jurisdiction filed by Defendant AGAPE of Central Alabama, Inc., is denied without prejudice, as moot.

November 7, 2005.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge